IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9057 of 2005

Between:

M. Lakshmidevamma W/o. Venkataramana,
R/o. Gangapuram, Yenugondapalem, Kalakada(M), Chittoor

District.

..... PETITIONER

AND

1 Mandal Revenue Officer, Kalakada(M),
2 Mandal Parishad Development Officer, Kalakada (M),

Chittoor District.
3 Panchayat Secretary, Yenugondapalem Village,
Kalakada (M), Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in contemplating to dispossess the petitioner or meddle with her possession over land of Ac. 1.78 cents in Sy.o. 368/4 of Yenugondapalem Village of Kalakada Mandal during Subsistence and consideration of her application for assignment in ROC B1/3583/2002 on the file of sub-Collector, Madanapalle is illegal, irregular, without jurisdiction, contrary to the provisions of natural justice and violative of Art. 14 and 21 of the constitution of India and also contrary to BSO 15 of Board of Standing Orders and Consequently direct the respondents not to dispossess her therefrom.

Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER :

This writ petition is filed aggrieved by the action of the respondents in seeking to dispossess the petitioner from the land admeasuring Ac.1.78 cents in S.No.368/4 situated at Yenugondapalem village of Kalakada Mandal.

The petitioner states that she has been in possession of the land in question for the past 20 years and she made an application before the Sub-Collector of Madanapalle as long back as in the year 2002 requesting to grant a patta in respect of the said land, which is classified as a kunta. Having entertained the said petition, the Sub-Collector, Madanapalle by proceedings dated 31.08.2002, directed to maintain status quo. The petitioner claims that the proceedings are still pending before the Sub-Collector, Madanapalle and in the meanwhile, the first respondent-Mandal Revenue Officer, Kalakada is taking steps to dispossess her from the land in question, high-handedly at the instance of some third parties. Hence this writ petition.

Having heard learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents and keeping in view the fact that the request made by the petitioner for assignment of the land in question is pending, without expressing any opinion on merits, the writ petition is disposed of with a direction to the Revenue Divisional Officer, Madanapalle to consider the request of the petitioner for assignment of an extent of Ac.1.78 cents of land in S.No.368/4 of Yenugondapalem village of Kalakada Mandal in his favour, and to conclude the proceedings pending on his file in ROC. B1/3583/2002, as expeditiously as possible, preferably within a period of four weeks from today, if not already concluded. Till such orders are passed, there shall be a direction to maintain status quo obtaining as on today as to the nature and possession of the land in question.

The writ petition is accordingly disposed of. No costs.

21st April, 2005.

Note : Registry is directed to communicate

a copy of this order to the Revenue
Divisional Officer, Madanapalle.

(B/O)

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To

1 Mandal Revenue Officer, Kalakada(M),
2 Mandal Parishad Development Officer, Kalakada (M),

Chittoor District.
3 Panchayat Secretary, Yenugondapalem Village,
Kalakada (M), Chittoor District.

4 The Revenue Divisional Officer, Madanapalle.

5 2 CCs to the G.P for Revenue, High Court Buildings,

Hyderabad. (OUT)

6 2 CD copies